

Applicants : JIN, et al.
U.S. Serial No.: 09/886,555
Filed : June 21, 2001
Page : 3

REMARKS

On December 3, 2003, the USPTO issued a Notice of Allowability for the above-identified application. In compliance with 35 U.S.C. §120, Applicants have hereinabove inserted a paragraph claiming benefit of a U.S. provisional application, U.S. Serial No. 60/214,037, filed June 23, 2000.

37 CFR §1.312 Amendments after allowance

37 CFR §1.312 provides:

"No amendment may be made as a matter of right in an application after the mailing of the notice of allowance. Any amendment filed pursuant to this section must be filed before or with the payment of the issue fee, and may be entered on the recommendation of the primary examiner, approved by the Commissioner, without withdrawing the application from issue."

Manual of Patent Examining Procedure (MPEP) §714.16 provides: The primary examiner can make "examiner's amendments and has authority to enter amendments submitted after Notice of Allowance of an application which embody merely the correction of formal matters in the specification or drawings.. without forwarding to the supervisory patent examiner for approval."

Moreover, "where amendments.. are shown (A) to be needed for proper disclosure or protection of the invention, and (B) to require no substantial amount of additional work on the part of the Office, they may be considered and, if proper, entry may be recommended by the primary examiner."

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Applicants submit this Amendment to correct formal matters in the Specification of the above-identified application. Applicants maintain that the Amendment is needed for proper disclosure and/or protection of the invention, and require no substantial amount of additional work on the part of the Office. Applicants also maintain that there is no issue of new matter. Accordingly, Applicants respectfully request the entry of this Amendment.

Applicants hereby submit the following documents, Exhibits A-C, in support of the Amendment after allowance under 37 CFR §1.312:

Exhibit A: A copy of the postcard receipt dated June 21, 2001.

Applicants hereby submit the June 21, 2001 postcard receipt filed with the above-mentioned application on June 21, 2001. The June 21, 2001 postcard stated that the above-identified application claims benefit of a U.S. provisional application, "U.S. Serial No. 60/214,037, filed June 23, 2000."

Exhibit B: Declaration and Power of Attorney by the Applicants/inventors.

On the first page of the Declaration and Power of Attorney, Applicants claimed benefit under Title 35, U.S.C. Section 120 of a provisional application, Serial No. 60/214,037, filed June 23, 2000.

Exhibit C: January 30, 2002 Updated Filing Receipt.

Applicants received the January 30, 2002 Updated Filing Receipt from the USPTO. The January 30, 2002 Updated Filing Receipt stated that "THIS APPLN CLAIMS BENEFIT OF 60/214,037 06/23/2000".

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Based on above-mentioned supportive documents (attached herein as Exhibits A-C), Applicants respectfully request that the new paragraph claiming benefit of a provisional application, U.S. Serial No. 60/214,037, filed June 23, 2000, be inserted into Page 1, Line 1 of the Specification of the above-identified Application.

Accordingly, Applicants respectfully request the Examiner recommend the entry of this Amendment and the Commissioner approve the entry of this amendment without withdrawing the Application from issue. Upon entry of this Amendment, the following paragraph will be entered into the Application:

This application claims benefit of U.S. Serial No. 60/214,037 filed on June 23, 2000, the content of which is incorporated here into this application.

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Conclusion

Applicants respectfully request that the Examiner insert the above-mentioned, underlined paragraph into the application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan
Albert Wai-Kit Chan
Registration No. 36,479
Attorney for Applicants
Law Offices of
Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 26th Avenue
Whitestone, New York 11357
Tel: (718) 357-8836
Fax: (718) 357-8615
E-mail: kitchanlaw@aol.com

Exhibit A

Applicants: JIN, et al.

Client: Tuo Jin

File No.: 625

Date: June 21, 2001

Kindly acknowledge receipt of the accompanying

NEW PATENT APPLICATION FOR JIN, et al., U.S. Serial Not Yet Known
(claiming benefit of U.S. Serial No. 60/214,037, filed June 23, 2000) for "STABLE
POLYMER AQUEOUS/AQUEOUS EMULSION SYSTEM AND USES
THEREOF" including a check in the amount of \$355.00, Express Mail Certificate of
Mailing bearing Label No. ET133221444US, dated June 21, 2001 (1 page),
Transmittal Letter (2 pages, in triplicate), Specification (23 pages), Claims (2 pages),
Abstract (1 page), and Drawings (7 pages).

by placing your receiving date stamp hereon and returning to us.

11046 U.S. PTO
09/886555
06/21/01


Exhibit B

Dkt. #625
Page 1 of 2

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below: Name _____

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

STABLE POLYMER AQUEOUS/AQUEOUS EMULSION SYSTEM, AND HIGH STABILITY POLYMER AQUEOUS/AQUEOUS EMULSION SYSTEM

the specification of which
(check one)

I hereby state that I have reviewed and understand the contents of the above-identified specification, in including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

Prior Foreign Application(s)

Number Country Filing Date Priority Claimed
Yes No

N/A

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No. Filing Date Status
60/214,037 June 23, 2000

And I hereby appoint:

Declaration and Power of Attorney
Page 2 of 2

Albert Wai-Kit Chan (Reg. No. 36,479) and Mark Elkins (Reg. No. 42,510)

Attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

Albert Wai-Kit Chan
59-42 Parsons Blvd.
Flushing, NY 11365-1433
Tel: (718) 460-4149
Fax: (718) 460-6664

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor: JIN, TWO
Inventor's signature: 
Citizenship: China Date of Signature: 10/16/2001
Residence: 445 Valentine Street, Highland Park, New Jersey 08904, USA
Post Office Address: same as the residence address

Full name of sole or first joint inventor: CHEN, Li
Inventor's signature: 
Citizenship: Canada Date of Signature:
Residence: 650 Parliament Street, Apt. 1519, Toronto, Ontario, Canada M4X 1R3
Post Office Address: same as the residence address

Full name of sole or first joint inventor: ZHU, Hua
Inventor's signature: 
Citizenship: United States of America Date of Signature: 10/16/2001
Residence: 19 Birch Drive, Plainsboro, New Jersey 08536, USA
Post Office Address: same as the residence address

Dkt. #625
Page 1 of 2**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

STABLE POLYMER AQUEOUS/AQUEOUS EMULSION SYSTEM AND USES THEREOF

the specification of which
(check one)

is attached hereto or
 was filed on June 21, 2001
as Application Serial No. 09/886,555 and
was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed:

Prior Foreign Application(s) Number	Country	Filing Date	Priority Claimed Yes <input type="checkbox"/> No <input type="checkbox"/>
N/A			

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
<u>60/214,037</u>	<u>June 23, 2000</u>	

And I hereby appoint:

Declaration and Power of Attorney
Page 2 of 2**Albert Wai-Kit Chan (Reg. No. 36,479) and Mark Elkins (Reg. No. 42,910)**

Attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments thereto, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

Albert Wai-Kit Chan
59-43 Parsons Blvd.
Flushing, NY 11345-1433
Tel: (718) 460-4149
Fax: (718) 460-6664

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor: JIN, Tao
Inventor's signature: _____
Citizenship: China Date of Signature: _____
Residence: 643 Valentine Street, Highland Park, New Jersey 07034, USA
Post Office Address: same as the residence address

Full name of sole or first joint inventor: CHEN, Li
Inventor's signature: Chen Li
Citizenship: Canada Date of Signature: Nov. 9, 2001
Residence: 550 Parliament Street, Apt. 1519, Toronto, Ontario, Canada M4X 1B3
Post Office Address: same as the residence address

Full name of sole or first joint inventor: ZHIU, Hua
Inventor's signature: _____
Citizenship: United States of America Date of Signature: _____
Residence: 19 Birch Drive, Plainsboro, New Jersey 08836, USA
Post Office Address: same as the residence address

Exhibit C



UNITED STATES PATENT AND TRADEMARK OFFICE

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FILE
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COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP/ART/UNIT	FIL. FEE REC'D	ATTY/DOCKET/NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/886,555	06/21/2001	1614	420	625	7	12	3

CONFIRMATION NO. 7285

UPDATED FILING RECEIPT



000000007388058

Albert Wal-Kit Chan
 Attorney at Law
 Suite 604
 141-07 20th Ave.
 Whitestone, NY 11357

Date Mailed: 01/30/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Tuo Jin, Highland Park, NJ;
 Li Chen, Toronto, CANADA;
 Hua Zhu, Plainsboro, NJ;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/214,037 06/23/2000

Foreign Applications

If Required, Foreign Filing License Granted 08/14/2001

Projected Publication Date: 05/09/2002

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Stable polymer aqueous/aqueous emulsion system and uses thereof

Preliminary Class

Received
 2/6/02